

FILED

2004 OCT 15 AM 9:46

CHRISTOPHER J. D'ONOFRIO
CLERK OF COURT
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
AT HAMMOND

In re:

Deborah A. Hostetter,
Debtor.

MBNA America Bank, N.A.,

Plaintiff,

v.

Deborah A. Hostetter,
Defendant.

Bankruptcy No. 04-60973-JK

ADV. NO. 04-6084-jk

**MOTION FOR ENTRY OF
DEFAULT JUDGMENT**

COMES NOW the Plaintiff, MBNA America Bank, N.A., by and through its attorney, Randall Kammeyer, pursuant to F.R.B.P. 7055 and F.R.C.P. 55, and moves that the Court enter a judgment by default against Defendant and states as follows:

- 1) That on March 7, 2004, Defendant filed a petition for relief under Chapter 7 of the United States Bankruptcy Code.
- 2) That on May 27, 2004, Plaintiff filed this Adversary proceeding against Defendant.
- 3) That summons was issued by the United States Bankruptcy Court, Northern District of Indiana on May 27, 2004, and was served on Defendant and her attorney, along with a copy of the complaint, by first class mail, postage prepaid, within 10 days from the date summons was issued.
- 4) Defendants answer was due on June 28, 2004.

- 5) Defendant has not filed an answer, pleaded or filed an appearance.
- 6) On August 2, 2004, the Clerk of the United States Bankruptcy Court, Northern District of Indiana, entered a default and instructed Plaintiff to file this Motion for Default within 60 days.
- 7) The Affidavit of Relief Sought is submitted in support of this Motion.

DATED October 8, 2004.



Attorney for Plaintiff
Randall Kammeyer
Hawk, Haynie, Kammeyer & Chickedantz, LLP
116 East Berry Street
Lincoln Tower Suite 302
Fort Wayne, IN 46802
Phone: 260-422-1515

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UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF INDIANA
AT HAMMOND

CHRISTOPHER J. SIEBRO
CLERK OF COURT
US BANKRUPTCY COURT
N. DISTRICT OF INDIANA

In re:

Deborah A. Hostetter,

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MBNA America Bank, N.A.,

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v.

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Defendant.

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**AFFIDAVIT OF RELIEF
SOUGHT**

STATE OF INDIANA)
COUNTY OF) ss.

I, Randall Kammeyer, being first duly sworn, depose and say:

I am the attorney for Plaintiff, MBNA America Bank, N.A. This affidavit is submitted in support of Plaintiff's Motion for Entry of Default Judgment.

The Defendant was served with a true copy of the Complaint and Summons by first-class mail deposited with the United States Postal Service on 5/27/04.

Defendant has not filed an Answer to the complaint within the time allowed.

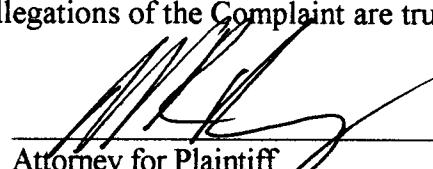
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I am informed and believe that the allegations of the Complaint are true and accurate.



Attorney for Plaintiff
Randall Kammeyer
Hawk, Haynie, Kammeyer & Chickedantz, LLP
116 East Berry Street
Lincoln Tower Suite 302
Fort Wayne, IN 46802
260-422-1515

Subscribed and sworn to before me on 10/8/04



Notary Public

My Commission Expires: 3/31/2